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COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

Command and control of United Nations peace-keeping operations

Report of the Secretary-General

I. INTRODUCTION

1. By its resolution 48/42 of 10 December 1993, the General Assembly urged the Secretary-General to initiate a comprehensive review of the role, tasks and functions of the various units of the Secretariat with a view, inter alia, to assuring the unity of command and control indispensable for successful peace-keeping. The Assembly also called upon the Secretary-General, in its resolution 48/43 of 10 December 1993, to review and take urgent steps to strengthen present arrangements for political direction and military command and control, to improve coordination with humanitarian and civilian aspects of peace-keeping operations, and to strengthen existing arrangements for consultation and exchange of information among the Security Council, troop-contributing countries and the Secretariat.

2. Since that time, substantial improvements have been made in the consultative process among the Security Council, the troop contributors and the Secretariat and have been welcomed by the Special Committee on Peace-keeping Operations (see A/49/136) and the Security Council (S/PRST/1994/22). The Secretary-General has also continued his efforts, reported in his reports on improving the capacity of the United Nations for peace-keeping (A/48/403) and the restructuring of the United Nations Secretariat (A/49/336), to strengthen the Secretariat's capacity for peace-keeping, especially in building up in the Department of Peace-keeping Operations the functional expertise required for effective executive direction and management of operations. In addition, the Secretary-General has made far-reaching proposals (see A/48/707 and A/48/945 and Corr.1) to streamline administrative procedures which have a direct impact on the Organization's ability to support and staff peace-keeping operations, including their civilian components, in a timely and effective manner.

3. In preparing the present report the Secretary-General has benefited from a wide variety of Member States' views, expressed in formal and informal settings, including the Security Council discussions which resulted in the presidential statement cited above, the deliberations of the Special Committee on Peace-keeping Operations, an informal gathering of States convened and hosted by the Government of Canada in late April 1994, and others. The reservoir of practical experience of current and former United Nations force commanders who participated in a meeting at Headquarters on command and control arrangements in November 1993 has also been drawn upon.

II. LEVELS OF COMMAND

4. In United Nations peace-keeping operations it is useful to distinguish three levels of command: (1) overall political direction, the purview of the Security Council; (2) executive direction and control, provided by the Secretary-General; and (3) command in the field, residing in the chief of mission, i.e., the Special Representative of the Secretary-General or, in cases where no Special Representative is approved, the Force Commander or Chief Military Observer.

5. The three levels constitute a conceptual whole in that each can only be understood in relation to the others, and they comprise a practical continuum in that none can be fully effective in isolation. These close links notwithstanding, the distinctions among levels are real and are important to maintain conceptually as well as operationally, avoiding a blurring of functions and responsibilities. Just as overall political objectives reflecting the will of the international community could not be readily formulated in the field, so it would not be wise to decide matters at United Nations Headquarters in New York that require an understanding of operational conditions which can only be acquired in the field. To ensure that the latter type of judgement is made and then acted upon soundly, on the basis of a well-rounded grasp of the situation, multidimensional operations typically are headed in the field by a Special Representative of the Secretary-General, with clearly defined authority, which extends over all mission components. The Special Representative is able to draw on the respective areas of expertise of those components.

III. DEFINING UNITED NATIONS COMMAND

6. There has been a certain amount of discussion of late as to the degree of authority which the United Nations chiefs of mission exercise over national contingents assigned to a peace-keeping operation. In some exceptional cases, troops have been offered with prior restrictions of a nature which would have severely compromised the contingent's usefulness, and offers made on those conditions have had to be declined. In general, United Nations command is not full command and is closer in meaning to the generally recognized military concept of "operational command". It involves the full authority to issue operational directives within the limits of (1) a specific mandate of the Security Council; (2) an agreed period of time, with the stipulation that an earlier withdrawal requires adequate prior notification; and (3) a specific geographical range (the mission area as a whole). An additional limitation is

that the Organization does not discipline or promote individual members of military contingents, functions which remain the purview of their national authorities. While the United Nations, on the basis of consultations with potential troop contributors, has accepted by prior agreement certain restrictions on the use of a given contingent, it cannot accept restrictions which would overly limit the necessary flexibility and freedom of manoeuvre which a head of mission must have in order to ensure operational effectiveness. In any case, Governments which do not wish their forces to be used in certain ways must make this known at the outset when the troops are offered; if such restrictions do not become apparent until a crisis arises in the field, the safety and security of other contingents and the success of the mission as a whole could be jeopardized.

7. If it is to be effective a United Nations operation must function as one integrated unit reflecting the will of the international community as a whole. International forces can be vulnerable to attempts by the parties to the conflict to differentiate between contingents and single them out for favourable or unfavourable treatment. This may lead to repercussions in the home countries as well as on the ground which can seriously undermine an operation. Experience has clearly demonstrated that when command in the field is divided and military units receive guidance from national as well as United Nations Headquarters the difficulties inherent in an international operation are maximized and the risk of casualties rises. Maintaining the integrated, strictly international character of an operation remains the best safeguard against such a development. Clearly, then, it is impermissible for contingent commanders to be instructed by national authorities to depart from United Nations policies, or to refuse to carry out orders. Not only do such practices jeopardize the effectiveness of a mission and the safety and security of its personnel, they undermine the very legitimacy of the institution of United Nations peace-keeping.

IV. STRENGTHENING OVERALL POLITICAL DIRECTION

8. Decisions on mandates and overall policy regarding peace-keeping operations are in the competence of the Security Council, while implementation of those decisions is the purview of the Secretary-General and the chief of mission. Without prejudice to the authority of any of these officials, there is a practical necessity to engage the troop contributors in dialogue in order to establish clear understandings about the mandate and the goal of the mission from the outset, thus also enhancing prospects for unity of command once troops are in the field. Such consultations are particularly important to achieve the most effective use of resources, keeping in view the fact that the availability of resources is unusually complicated in an Organization which does not possess resources of its own and which has no ready strategic reserve.

9. The effectiveness of peace-keeping operations and their command and control systems is largely affected by clear understandings between the entities taking political decisions, bearing operational responsibility, and providing human and material resources. The process of exchanging views among the Security Council, the Secretariat and the troop contributors has developed considerably in the recent past and has been welcomed by all concerned. These meetings are not limited to briefings about recent events but are an opportunity for substantive

discussion. Such meetings are normally convened whenever a Special Representative of the Secretary-General or a Force Commander or Chief Military Observer visits United Nations Headquarters.

10. In an enlargement of this practice, the Security Council has recently decided (S/PRST/1994/62 of 4 November 1994), inter alia, that meetings should be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat to facilitate the exchange of information and views before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peace-keeping operation. Such meetings would be chaired jointly by the President of the Council and a representative of the Secretary-General and would be in addition to those convened and chaired by the Secretariat for troop contributors to meet with special representatives of the Secretary-General or to discuss operational matters concerning particular peace-keeping operations.

V. STRENGTHENING EXECUTIVE DIRECTION, COMMAND AND CONTROL

11. The growing number of United Nations operations for the maintenance of international peace and security and their increasingly complex nature have made it essential that the relevant departments of the Secretariat function as an integrated whole, under the authority and control of the Secretary-General, but with clear, distinct responsibilities, in order to avoid duplication of effort and inefficient use of resources. Specifically with regard to this division of labour, the Department of Political Affairs is the political arm of the Secretary-General in matters relating to the maintenance of international peace and security and the control and resolution of conflicts within States. As such, it advises the Secretary-General on policy in these areas and is responsible for political research and analysis. It also has executive responsibilities in the fields of preventive diplomacy and peacemaking, including negotiations and other diplomatic activities. All these functions and responsibilities as they relate to field operations are prepared and carried out by the Department under the overall direction of the Secretary-General.

12. The Department of Humanitarian Affairs is responsible for the coordination of humanitarian operations, particularly for making the necessary arrangements for the timely and effective delivery of assistance by the relief organizations of the United Nations system. As the focal point of the Secretary-General for humanitarian assistance, its responsibilities also include early warning, needs assessment missions, consolidated appeals and mobilization of resources, as well as negotiations on access to populations in need. In most recent complex operations, the Department has appointed a field-based humanitarian coordinator who works under the authority of the Special Representative of the Secretary-General and is in direct contact with the Department of Humanitarian Affairs. In some cases the humanitarian coordinator is with an agency or programme, while in others he or she is independent.

13. The Department of Peace-keeping Operations is the operational arm of the Secretary-General for the day-to-day management of peace-keeping operations. In this capacity, the Department acts as the main channel of communication between United Nations Headquarters and the field. However, the Department of Political

Affairs on strictly political matters, the Department of Humanitarian Affairs on humanitarian policy matters and the Department of Administration and Management are also in regular contact with the field.

14. In order to ensure cohesion and effective control, guidance for peace-keeping operations from United Nations Headquarters must be effectively coordinated among the departments concerned. For this purpose, inter alia, the departments coordinate with each other at all levels, participate in the Secretary-General's Task Force on United Nations Operations, which provides the Secretary-General with integrated policy advice, and maintain interdepartmental working groups, which are set up for particular United Nations operations.

15. As the instrument of peace-keeping has been utilized in recent years in conditions which are more demanding operationally than ever before, it is necessary to enhance the Secretariat's capacity for executive direction and management of such operations. In particular, the Secretariat must have a greater capacity to conduct feasibility studies of options for the consideration of the Security Council; to translate mandates into achievable concepts of operations; to provide timely guidance and support to the field as well as meaningful feedback to the Council; to develop and refine, on the basis of experience, doctrines, operational concepts, standard operating procedures and related common terminology for United Nations peace-keeping operations.

16. Comprehensive planning is required at United Nations Headquarters before missions are launched. This entails the need for a greater capacity within the Secretariat for contingency planning and large-scale logistics planning, geared to generic mission types; and, drawing on these efforts, pre-deployment planning for specific missions, involving to the extent feasible senior military and civilian officials and the core staff of field headquarters. While advances have been made to develop the Secretariat structure to meet these challenges, the Department of Peace-keeping Operations at current staffing levels continues to struggle to cope with day-to-day requirements.

17. During the planning phase preceding the actual establishment of a peace-keeping operation (and within the limits imposed by time and staffing constraints), the Secretariat has begun to hold informal meetings with potential troop contributors, thus providing an opportunity before a new operation is actually launched to provide those Governments with comprehensive information about operational plans and likely challenges, so that they may take these into account in deciding on their contribution to the operation.

18. These innovations aside, the Secretary-General and his colleagues will continue to be in constant formal and informal contact with both members of the Security Council and troop-contributing Governments and will do whatever is necessary to continue the existing practice of close consultations.

19. In the field, common sense and sound management practice dictate that the head of mission ensures that national contingent commanders are involved in operational planning and decision-making, especially where their respective contingents are concerned. Such involvement should take the form of consultations among professionals in a unified force. However, they cannot be allowed to develop into indirect negotiations with national headquarters, which

could impede action and undermine the willingness and vigour with which the orders of the United Nations are carried out.

20. The Governments contributing troops and other personnel to an operation have a natural and legitimate interest in satisfying themselves that their personnel are employed as effectively as possible, in accordance with the Security Council's mandate, and without exposing them to unnecessary risk. Similarly, they will form views regarding the course of action pursued in an operation, especially when it faces difficulties. The channel through which these views should be articulated, however, is United Nations Headquarters, in dialogue with the Secretariat, with other troop contributors and with the Security Council, rather than unilaterally through their contingent commanders.

VI. FORCES NOT UNDER DIRECT UNITED NATIONS COMMAND

21. In some cases in recent years when enforcement action was required, the Security Council, for a number of well-known reasons, has chosen not to intervene initially with a United Nations force. In the case of Somalia, the Council instead authorized a group of concerned and willing Member States to undertake military action, with the idea that this operation (the Unified Task Force) would be relieved after several months by a United Nations operation (UNOSOM II). Variations of this approach have since been utilized in Rwanda and Haiti and it is likely that they will be employed elsewhere in the future.

22. Experience to date has shown both the value of this approach and the difficulties inherent in it. Groups of Member States, engaging in military activities under a general mandate from the Security Council, can claim international legitimacy and approval for a range of actions which may in fact not have been envisaged by the Security Council. It therefore follows that peace enforcement operations by groups of Member States must be closely monitored by the Council if international acceptance of those actions and their consequences is to be assured. Otherwise, the United Nations might find itself compelled to assume great responsibilities for humanitarian and related operations in particularly inauspicious circumstances.

23. Issues of accountabiity and transparency are crucial when groups of Member States cooperate with the United Nations under Chapter VII of the Charter. For such cooperation to be effective new modalities for linkage to and review by the Security Council need to be devised.

24. In the last two years the United Nations Protection Force (UNPROFOR) in the former Yugoslavia has worked extensively with other organizations having related operational tasks and has gained experience with regard to the particular command and control challenges posed by such cooperation. For example, the North Atlantic Treaty Organization (NATO) and the Western European Union (WEU) carry out certain tasks authorized by the Security Council which UNPROFOR does not have either the mandate or the means to accomplish. These include NATO and WEU monitoring of the Adriatic and the Danube to ensure compliance with international sanctions, as well as NATO monitoring and enforcement of the no-fly zone over Bosnia and Herzegovina. This type of cooperation is mutually beneficial and presents few serious problems with regard to command and control,

especially since the different organizations have discrete mandates and there is little or no overlap in their operations. In the case of the United Nations and the European Union, the creation of an institutional nexus in the International Conference on the Former Yugoslavia has embodied the close cooperation of the two organizations.

25. Secondly, NATO provides air power for purposes authorized by the Security Council and in support of UNPROFOR. This innovation has brought up unprecedented issues of command and control, which have been the subject of intensive consultations between the United Nations and NATO, in the course of which much common ground has been found, in particular through a "dual key" arrangement in which both organizations must give prior approval of specific actions.

26. Thirdly, organizations may seek to accomplish tasks which are not authorized specifically by the Security Council but the execution of which requires the practical cooperation of United Nations forces on the ground. The primary example is NATO's enforcement of exclusion zones around "safe areas" in Bosnia and Herzegovina, in furtherance of the objectives of Security Council resolutions. While the two organizations are working towards common objectives, close cooperation is essential; in the absence of a precise agreement as to the circumstances justifying the use of force, each organization will wish to respond to its own priorities, which may be different from or in some respects even mutually exclusive of the aims of the other. NATO and WEU and the United Nations are seeking to build upon their joint experience so that modes of cooperation which by their very nature preclude smooth command and control arrangements may be taken into account in future cooperative endeavours.

VII. OBSERVATIONS

27. Effectiveness in command and control rests most obviously on the acceptance by troop contributors of the essential requirements of United Nations operational command and on the corresponding willingness to place adequately trained and equipped personnel under the authority of the United Nations commander. In an era of complex and sometimes risky operations, Governments' willingness to do so will hinge in part on their perception that the Security Council and the Secretary-General hear their views, take them into account and provide timely and meaningful information in return. The Secretary-General therefore looks forward to the further development of the consultative process.

28. The Secretariat's ability to provide peace-keeping operations with effective executive direction and control is crucial to an improved system of command and control and depends on enhanced resources, in particular staff resources at Headquarters. The Secretary-General shares in the general consensus that the Secretariat units directly involved in peace-keeping still need to be considerably strengthened. Such strengthening would give the Organization the capacity to direct and support its peace-keeping operations at a level commensurate with their important and often dangerous tasks in what essentially is a common endeavour to formulate and implement the will of the international community.